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*Attorneys for Unifortune Conservative Side Pocket (not a juridical entity)***UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

FAIRFIELD SENTRY LIMITED, et al.,

Debtors in Foreign Proceedings.

Chapter 15

Case No. 10-13164 (CGM)

Jointly Administered

FAIRFIELD SENTRY LIMITED (IN
LIQUIDATION) and FAIRFIELD SIGMA LIMITED
(IN LIQUIDATION), acting by and through the
Foreign Representatives thereof,

Plaintiffs,

v.

ABN AMRO SCHWEIZ AG A/K/A ABN AMRO
(SWITZERLAND) AG, et al.,

Defendants.

Adv. Proc. No. 10-3635 (CGM)

Adv. Proc. No. 10-3636 (CGM)

This document is also being filed in the lead
adversary proceeding, Fairfield Sentry Ltd. (in
Liquidation), et al. v. Theodoor GGC Amsterdam, et
al., Adv. Pro. No. 10-03496.**NOTICE OF DEFENDANT UNIFORTUNE CONSERVATIVE
SIDE POCKET'S MOTION TO DISMISS FOR INSUFFICIENT
SERVICE OF PROCESS AND OF HEARING THEREON**

PLEASE TAKE NOTICE that Unifortune Conservative Side Pocket (“**Side Pocket**”), upon the motion filed contemporaneously herewith, will move this Court for an order dismissing the claims against Side Pocket in this adversary proceeding under Rules 4(f), 4(m), and 12(b)(5) of the Federal Rules of Civil Procedure, made applicable to this adversary

proceeding by Rules 7004 and 7012 of the Federal Rules of Bankruptcy Procedure, for insufficient service of process. By order of the Court [ECF 531], the hearing on the motion will be held on Wednesday, August 18, 2021, at 10:00 A.M. (format of hearing [in person, virtual] to be determined by further order of the Court).

Side Pocket (1) reserves the right to state, as required under Bankruptcy Rule 7012(b), no later than upon the filing of its first pleading (*see* Fed. R. Civ. Proc. 7) in this adversary proceeding, whether it consents to entry of a final order or judgment by the Bankruptcy Court; (2) in accordance with this Court's instructions at the hearing on April 21, 2021, reserves the right to object under Fed. R. Civ. Proc. 12(b)(2) (made applicable by Bankruptcy Rule 7012) to this Court's personal jurisdiction over Side Pocket and the right to move to dismiss the complaint (or amended complaint) under Fed. R. Civ. Proc. 12(b)(6) (made applicable by Bankruptcy Rule 7012 for failure to state a claim upon which relief may be granted) [Transcript of Proceedings, ECF 620-2 at 42:24–43:3 (Apr. 21, 2021)]; and (3) does not, by this motion waive any of Side Pocket's or any affiliated or related entities' jurisdictional, substantive, or procedural rights, remedies, and defenses in connection with this adversary proceeding.

Dated: New York, New York
May 21, 2021

JENNER & BLOCK LLP

/s/ Richard Levin

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